

**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR UTILITY PATENT APPLICATION**

Attorney's Docket No.

032405-042

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name:

I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION ENTITLED:

INCISION TENSIONING SYSTEM AND METHOD FOR USING THE SAME

the specification of which

(check one)  is attached hereto;  
 was filed on \_\_\_\_\_ as  
Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE;

I ACKNOWLEDGE THE DUTY TO DISCLOSE TO THE OFFICE ALL INFORMATION KNOWN TO ME TO BE MATERIAL TO PATENTABILITY AS DEFINED IN TITLE 37, CODE OF FEDERAL REGULATIONS, Sec. 1.56 (as amended effective March 16, 1992);

I do not know and do not believe the said invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application; that said invention was not in public use or on sale in the United States of America more than one year prior to said application; that said invention has not been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to said application;

I hereby claim foreign priority benefits under Title 35, United States Code Sec. 119 and/or Sec. 365 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application(s) on which priority is claimed:

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COUNTRY/INTERNATIONAL	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			YES_ NO_
			YES_ NO_

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

William L. Mathis	17,337	Eric H. Weisblatt	30,505	Bruce T. Wieder	33,815
Robert S. Swecker	19,885	James W. Peterson	26,057	Todd R. Walters	34,040
Platon N. Mandros	22,124	Teresa Stanek Rea	30,477	Ronald S. Evans	31,179
Benton S. Duffett, Jr.	22,030	Robert E. Krebs	25,885	Harold R. Brown III	36,341
Norman H. Stepo	22,716	William C. Rowland	30,888	Allen R. Baum	36,086
Ronald L. Grudziecki	24,970	T. Genia Dillahunt	25,423	Steven M. duBois	35,023
Frederick G. Michaud, Jr.	26,003	Patrick C. Keane	31,888	Brian P. O'Shaughnessy	32,747
Alan E. Kopecki	25,813	B. Jefferson Boggs, Jr.	32,344	Kenneth B. Leffler	36,075
Regis E. Sluter	26,999	William J. Sennitz	25,052	Fred W. Hathaway	32,236
Samuel C. Miller, III	27,360	Peter K. Staff	31,917	Wendi L. Weinstein	34,456
Robert G. Mikal	28,531	Richard J. McGrath	29,195	Mary Ann Dillahunt	34,576
George A. Hovaneec, Jr.	28,223	Matthew L. Solweider	32,814		
James A. LaBarre	28,632	Michael G. Savage	32,596		
E. Joseph Gest	28,510	Gerald F. Swiss	30,113		
R. Danny Huntington	27,903	Charles F. Wieland III	33,096		



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and: Anthony J. Josephson, Reg. No. 45,742

Address all correspondence to:

James W. Peterson, Esq.  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404



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Address all telephone calls to: James W. Peterson, Esq. at (650) 622-2300.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR Jaime Vargas	SIGNATURE	DATE
RESIDENCE 879 Clara Drive, Palo Alto, California 94303	CITIZENSHIP United States	
POST OFFICE ADDRESS 879 Clara Drive, Palo Alto, California 94303		
FULL NAME OF SECOND JOINT INVENTOR, IF ANY Tenny Chang	SIGNATURE	DATE
RESIDENCE 1819 Drew Avenue, Mountain View, California 94043	CITIZENSHIP United States	
POST OFFICE ADDRESS 1819 Drew Avenue, Mountain View, California 94043		

**COMBINED DECLARATION AND POWER OF ATTORNEY  
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Supplemental Sheet**

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FULL NAME OF THIRD JOINT INVENTOR, IF ANY  David Bombard	SIGNATURE	DATE
RESIDENCE  3835 24 <sup>th</sup> Street, San Francisco, California 94114	CITIZENSHIP  United States	
POST OFFICE ADDRESS  3835 24 <sup>th</sup> Street, San Francisco, California 94114		

"Express Mail" mailing label No. EL521510626US  
Date of Deposit: January 16, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231.

Seini Matangi

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

PATENT  
Attorney Docket No. 032405-042

BE IT KNOWN, that We, Jaime Vargas, Tenny Chang and David Bombard respectively of Palo Alto, California; Mountain View, California; and San Francisco, California have invented new and useful improvements in:

**INCISION TENSIONING SYSTEM AND  
METHOD FOR USING THE SAME**